

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 10-2634 MJ

DAVID PETER ROUNBEHLER,

Defendant.

ORDER GRANTING IN PART UNOPPOSED MOTION TO EXTEND
TIME TO FILE MOTION REGARDING CM-ECF RESTRICTIONS

THIS MATTER is before the Court on Defendant's unopposed motion to extend the time to file a motion regarding CM-ECF restrictions on *Documents 11, 12 and 13* in this case. *Document 21*, filed November 4, 2010. The Court gave notice to the parties that the CM-ECF restrictions on those documents would be removed unless Defendant files a motion to keep the restrictions by Wednesday, November 10, 2010. *Document 20*. Defendant asks the Court for an extension of the deadline to file his motion to December 1, 2010, to allow the parties additional time to resolve their dispute regarding the documents, and the government does not oppose this request. *Document 21*. On November 8, 2010, the Court held a telephonic hearing on the motion for extension of time, and counsel for both parties appeared. The Court explained to the parties that since they have had since October 19, 2010, to negotiate their dispute regarding these documents, the Court finds that the requested extension of time is too long. The Court, therefore, will remove the CM-ECF restrictions on *Documents 11, 12, and 13* unless Defendant files a motion to keep the restrictions by **Thursday, November 18, 2010**. If Defendant files a motion to keep the CM-ECF restrictions on those documents, the government's response is due by **Friday, December 3, 2010**,

and Defendant's reply, if any, is due by **Wednesday, December 8, 2010**. The Court will enter a separate scheduling order setting forth these deadlines.

IT IS THEREFORE ORDERED that the *Unopposed Motion of Defendant David Rounbehler to Extend Time to File Motion Regarding Restrictions on CM/ECF Access (Doc. 21)* is **GRANTED in part**, and the CM-ECF restrictions on *Documents 11, 12 and 13* will be removed unless Defendant files a motion to keep the restrictions by **Thursday, November 18, 2010**.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE